



EXCEDED PROCEDURE - EXAMINING GROUP 2611

#2214
W. Layton
TENT 11/27/02

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Theodore D. Wugofski

Examiner: Reuben Brown

Serial No.: 09/002,584

Group Art Unit: 2611

Filed: January 5, 1998

Docket: 450.222US1

Title: SYSTEM FOR SCHEDULED CACHING OF IN-BAND DATA SERVICES

AMENDMENT & RESPONSE UNDER 37 C.F.R. § 1.116

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Washington, D.C. 20231

In response to the Final Office Action mailed July 18, 2002 and the Advisory Action mailed October 22, 2002, please consider the following amendments.

IN THE CLAIMS

Please cancel claims 40 and 43 without prejudice.

Please substitute the claim set in the appendix entitled Clean Version of Pending Claims for the previously pending claim set. The substitute claim set is intended to reflect amendment of previously pending claims 1, 4-6, 9-11, 13, 15, 16, 21, 25, 32, and 36; the cancellation of claims 40 and 43; and the addition of claims 46-51. The specific amendments to individual claims are detailed in the following marked up set of claims.

1. (Three Times Amended) A computerized-system for scheduled caching of in-band data broadcast in a channel comprising:

a real-time scheduling process; and

a user initiated scheduling process operable [for determining] to provide an interface for a user to determine a scheduled time and channel for electronic program guide data in an in-band data broadcast, [wherein the in-band data broadcast comprises electronic program guide data,] and for invoking the real-time scheduling process to schedule execution of a caching process at approximately the scheduled time, wherein the caching process is operable for determining if a scheduling conflict exists, for powering-on [the] a tuning circuitry, for instructing the tuner circuitry to tune to the scheduled channel, for receiving the [in-band data] electronic program